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Center for Strategic & International Studies
Washington, DC

March 15, 1988

The Honorable William Webster
The Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Judge Webster:

In late January -- at the instigation of Congressman Henry Hyde (R-Ill.), the ranking minority member on the House Permanent Select Committee on Intelligence -- I was called by Tom Smeeton, that committee's Minority Counsel. Mr. Smeeton, at Congressman Hyde's behest, asked me to testify on H.R. 3822 and give my views on that proposed legislation, HPSCI Chairman Stokes' "Intelligence Oversight Act of 1987," at a formal hearing.

Mr. Smeeton initially wanted me to testify at a 4 February hearing, but that date conflicted with an already-scheduled engagement. He then proposed 24 February, but I had to leave for England on that day to give an also previously-scheduled lecture at Oxford. We hence agreed that I would testify at the hearings to be held on Thursday, 10 March.

The more I studied H.R. 3822, the more convinced I became that it was a bad and potentially very dangerous piece of proposed legislation, as was the similar and only slightly less objectionable parallel Senate bill, S. 1721. After consulting with and drawing on the suggestions of various friends and former colleagues -- including Walter Pforzheimer, who was, I believe, the Agency's first Legislative Counsel, former DCI Richard Helms, and my CSIS office suite-mate, James R. Schlesinger, also a former DCI -- I wrote a detailed critique of H.R. 3822 that eventually became 68 double-spaced pages long, in final form. This document was obviously much too long to use as a "statement", but the HPSCI's Republican staff urged me to submit it in toto, and uncut, for the record -- which I did when I testified on 10 March.

For your and the Agency's information and records, I am sending you -- and am also sending your Deputy DCI Robert Gates (who used to work for me) -- a copy of the 10 March hearings witness list, a copy of my full "submission" (the above-mentioned critique), and a copy of my actual statement, most of which was drawn or directly excerpted from the "submission".

REFERENCE

One of the many things I tried to do in the latter, incidentally, was underline and support the objections you very properly and cogently raised with respect to the definition of "special activities" given in H.R. 3822's proposed sub-section 503(e).

To my perhaps slightly less than totally dispassionate eye, your 24 February testimony was excellent, right on the mark, and admirably restrained. I hope the HPSCI's Legislative Subcommittee and the full Committee will take it to heart. I also hope my own submissions have the effect of supplementing and supporting yours.

With best wishes and warmest regards,

Sincerely,

G.A.C.

George A. Carver, Jr.
John M. Olin Senior Fellow

Attachments a/s

cc: The DDCI, w/attachments